

FEB 03 2003

PTO/SB/30 (5/2000)

Approved for use through 10/10/2000. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

02-04-03

RCE/16023

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No.	EL 500 578 375 US
Application Number	09/513,151
Filing Date	February 25, 2000
First Named Inventor	Hekimi
Group Art Unit	1642
Examiner Name	K. A. Canella
Attorney Docket Number	11202-004-999 (formerly 979-1-017)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

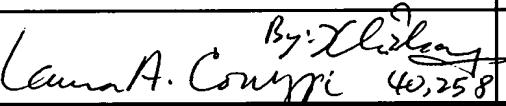
2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
 - i. RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 370.00 (small entity)
 - ii. Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 55.00 (small entity) for a one month extension, the request for which is being made herewith
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura A. Coruzzi		Registration No. (Attorney/Agent)
			30,742
Signature			Date
			February 3, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703-_____ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)			Registration No. (Attorney/Agent)
Signature			Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

02/05/2003 CV0111 00000021 161150 09513151

02/05/2003 375.00 04

NY2 - 1393737.1



EXPRESS MAIL NO.: EL 500 578 375 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hekimi et al.

Confirmation No.: 7817

Serial No.: 09/513,151

Group Art Unit: 1642

Filed: February 25, 2000

Examiner: K.A. Canella

For: C. ELEGANS GRO-1 GENE

Attorney Docket No.: 11202-004-999
(formerly 979-1-017)

TECH CENTER 1600/2800
FEB 06 2003

RECEIVED

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Assistant Commissioner for Patents

4
21/c
KJ
2-27-03

Box RCE

Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed October 2, 2002, and pursuant to 37 C.F.R. § 1.114, please enter the following amendments and consider the remarks made below in connection with the above-identified application. Also submitted herewith are: (a) a Petition for Extension of Time with the required fee; (b) a Request For Continued Examination (RCE) Transmittal with the required fee; (c) an Information Disclosure Statement; (d) a Form PTO-1449 entitled "List of References Cited By Applicant" listing References BL-BM with a copy of References BL-BM; (e) a Transmittal of Power of Attorney by Assignee of Entire Interest and Revocation of Prior Power of Attorney; (f) an executed Power of Attorney by Assignee of Entire Interest and Revocation of Prior Power of Attorney; and (g) a copy of the claims as pending in the present application after entry of the present amendment as Appendix A.

IN THE CLAIMS

Please cancel claim 1 without prejudice and add new claims 21-29 as follows:

21. An isolated polynucleotide comprising a nucleotide sequence of SEQ ID NO:3 or a complement thereof.